



COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR



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August 1, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RECOMMENDATION TO APPROVE AN AMENDMENT TO EXTEND THE TERM OF
THE CONTRACT FOR PERSONAL PROPERTY AUCTIONEERING SERVICES
(ALL DISTRICTS - 3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Mayor to sign the attached Amendment Number One to Contract Number 73583 (Exhibit 1) with Nationwide Auction Systems (Nationwide), to extend the term of the Contract, effective September 11, 2006, through December 31, 2006.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The California Probate Code requires the Public Administrator of each county to take charge of and administer decedent estates for which no personal representative has been appointed. The Treasurer and Tax Collector (TTC) serves as the Public Administrator of Los Angeles County and, under contract, also provides administrative services to the County Public Guardian as representative of certain conservatee estates. The California Probate Code authorizes the Public Administrator to sell personal property of decedent or conservatee estates, when necessary for the best interest of the estates, either by public or private sale.

The approval of the recommended Amendment will enable the continuation of uninterrupted personal property auctioneering services while TTC issues a re-solicitation for personal property auctioneering services.

TTC released a Request for Proposals (RFP) on April 28, 2006 to one hundred (100) prospective proposers, which consisted of TTC's in-house proposers list, vendors from

the County's Office of Affirmative Action Compliance Community Business Enterprise Database, and vendors registered on the Los Angeles County online Website. The RFP was also posted on the Los Angeles County Bid Website and the RFP was transmitted electronically to the California State Auctioneers Association. A Mandatory Proposer's Conference was held at the TTC Warehouse on May 5, 2006, with four (4) firms attending. Two firms responded with proposals; one of which was deemed non-responsive and disqualified from further consideration, leaving only one firm eligible to enter the evaluation process. Due to insufficient proposals eligible to enter the competitive evaluation process, it was determined that it would be in the County's best interest to cancel the RFP and re-open the solicitation process. TTC received information from auctioneering firms that indicated an interest in proposing, but were unable to attend the Mandatory Proposer's Conference due to previously published auction schedules. Re-issuing the RFP to a supplemented list of prospective proposers, and including an expanded timeline to provide interested firms notification far enough in advance to participate, will hopefully result in the receipt of additional proposals for evaluation.

Implementation of Strategic Plan Goals

The approval of this Contract Amendment is consistent with the County's Strategic Plan Goal of Organizational Effectiveness. The Contract Amendment provides for ongoing contractual personal property auctioneering services, which supports mandated services provided by TTC.

FISCAL IMPACT/FINANCING

There is no net County cost, as the auctioneer is paid a commission of 10% of gross sales from each auction of estate assets. The buyers also pay a 10% fee as a premium on their purchase directly to the auctioneer. This buyer's premium does not financially impact the estates or the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The current Contract with Nationwide was approved by your Board on August 7, 2001, and commenced September 11, 2001, and is due to expire September 10, 2006. The Amendment will become effective September 11, 2006 through December 31, 2006, upon your Board approval.

The attached Amendment for personal property auctioneering services has been reviewed and approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES

There is no impact on current services. This extension will allow for continuation of

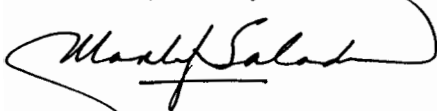
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personal property auctioneering services during the re-solicitation process and will ensure uninterrupted personal property auctioneering services.

CONCLUSION

Instruct the Executive Officer/Clerk of the Board to return two (2) signed originals of Amendment Number One to Contract Number 73583 and one (1) adopted Board letter to TTC.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Saladino", written over a horizontal line.

MARK J. SALADINO
Treasurer and Tax Collector

MJS:WMH

EVT:evt

Pers Prop Amend 1 Board Letter 07-10-06

Attachment

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

**AMENDMENT NUMBER ONE
TO
CONTRACT FOR PERSONAL PROPERTY AUCTIONEERING SERVICES
(COUNTY CONTRACT NUMBER 73583)**

This Amendment Number One is entered into by and between the County of Los Angeles (hereinafter, "COUNTY"), a political subdivision of the State of California, by and through its Treasurer and Tax Collector (hereinafter, "TTC"), and Nationwide Auction Systems (hereinafter "CONTRACTOR") with regard to the following recitals:

WHEREAS, on September 11, 2001, the COUNTY entered into a Contract with CONTRACTOR, for the provision of Personal Property Auctioneering Services;

WHEREAS, Paragraph 3, Changes and Amendments, of the Contract provides that for any change which affects the contract term or contract sum included in this Contract, a negotiated modification shall be prepared therefor, executed by CONTRACTOR, and thereafter by the COUNTY's Board of Supervisors;

NOW, THEREFORE, it is agreed to between the parties that the Contract shall be modified as follows:

- I. The Contract between COUNTY and CONTRACTOR, dated September 11, 2001, is hereby incorporated by reference and all Terms and Conditions shall be given full force and effect as if fully set forth herein.**
- II. Paragraph 5, Term, of the Contract shall be amended to include the following:**

- 5.3. Effective September 11, 2006 the term of this Contract shall be extended through December 31, 2006, unless sooner extended or terminated, in whole or in part, as provided in the Contract.

Except for the changes set forth herein, all other terms and conditions of the Contract shall remain the same.

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**AMENDMENT NUMBER ONE
TO
CONTRACT FOR PERSONAL PROPERTY AUCTIONEERING SERVICES
(COUNTY CONTRACT NUMBER 73583)**

IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment to be executed by its Mayor and the seal of the Board to be affixed and attested by the Executive Officer, and CONTRACTOR has caused this Amendment to be subscribed in its behalf by its duly authorized officers, this ____ day of _____, 2006.

COUNTY OF LOS ANGELES

By _____
Mayor, Board of Supervisors

CONTRACTOR
Nationwide Auction Systems

By David E. Nelson
Signature

DAVID E. NELSON
Print Name

VICE PRESIDENT
Title

ATTEST:

SACHI A. HAMAI
Executive Officer
of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

by Raymond G. Fortner, Jr.
Principal Deputy County Counsel